

Advisory Action	Application No. 09/489,681	Applicant(s) KOVACEVIC ET AL.	
	Examiner Man Phan	Art Unit 2665	

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 04 June 2004 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

PERIOD FOR REPLY [check either a) or b)]

- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.
- b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection. ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☐ A Notice of Appeal was filed on _____. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.
2. ☒ The proposed amendment(s) will not be entered because:
- (a) ☒ they raise new issues that would require further consideration and/or search (see NOTE below);
 - (b) ☐ they raise the issue of new matter (see Note below);
 - (c) ☐ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
 - (d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: Claims 31, 33 have been amended.

3. ☐ Applicant's reply has overcome the following rejection(s): _____.
4. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
5. ☒ The a) ☒ affidavit, b) ☐ exhibit, or c) ☒ request for reconsideration has been considered but does NOT place the application in condition for allowance because: See attached pages.
6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.
7. ☒ For purposes of Appeal, the proposed amendment(s) a) ☒ will not be entered or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:

Claim(s) allowed: 16-18 and 30-32.

Claim(s) objected to: _____.

Claim(s) rejected: 1-9, 11-15, 19-29, 33-37, 39.

Claim(s) withdrawn from consideration: _____.

8. ☐ The drawing correction filed on _____ is a) ☐ approved or b) ☐ disapproved by the Examiner.
9. ☐ Note the attached Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____.
10. ☐ Other: _____

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1. The affidavit, exhibit or request for reconsideration has been considered but does not place the application in condition for allowance because:

Applicant's arguments are not persuasive. It's the examiner's position that Miyamoto (US#6,414,954) and Teichmer (US#6,380,991) are applied herein merely for the teaching of a transport demultiplexor hardware for demultiplexing an MPEG-2 compliant transport stream utilize splicing. Miyamoto teaches a method for processing a transport stream including a plurality of groups of packets and a splicing point for separating each two of the group. Miyamoto teaches in Fig. 2 a block diagram illustrated of a picture processing system, in which once a splicing flag is detected at the TS header processor 17 (*detecting a first splice indicator*) an interrupt signal is sent to host CPU 11. In response, host CPU 11 determines a new video PID and loads it into the next PID Reg. 18 (*determining a new packet identifier PID*). When the splice flag is again detected (*detecting a second splice indicator*), a signal is sent to present Video PID Reg. 15 to load previously determined video PID from next PID Reg. 18. Once loaded in present Video PID Reg. 15, video PID is used to extract video stream from the Transport Stream (*using the new Packet Identifier in response to the second splice indicator*) (Col. 3, lines 10 plus). In the same field of endeavor, Teichmer discloses a method of splicing video in MPEG-2 transport streams comprising the steps of identifying a first splice point at an anchor frame in a first video stream (*determining a new packet identifier in response to detecting the first splice indicator*), and identifying a second splice point at an anchor frame in a second

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video stream (Col. 1, lines 33-40). Examiner maintains that the references cited and applied in the last office actions for the rejection of the claims 1-9, 11-15, 19-29 and 33-37, 39 are maintained in this office action. The final rejection mailed on March 30, 2002 is therefore maintained.

Mphan.

08/10/2004

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PATENT EXAMINER**